



## TRANSMITTAL FORM

(for all correspondence after initial filing)

Application #	10/573,804
Confirmation #	9377
Filing Date	03/28/2006
First Inventor	AIACH
Art Unit	Unknown
Examiner	Unassigned
Docket #	P08898US00/BAS

Total number of pages in this submission =

## ENCLOSURES (check all that apply)

- |   |   |
|---|---|
| <input type="checkbox"/> Fees calculated below<br><input checked="" type="checkbox"/> Response to Notice of Defective Response<br><input type="checkbox"/> including Attachment(s)<br><input type="checkbox"/> After Final Amendment/Reply<br><input type="checkbox"/> including Attachment(s)<br><input checked="" type="checkbox"/> Copy of Notice of Defective Response<br><input checked="" type="checkbox"/> Copy of Response to Missing Parts including sequence listing, computer readable form, amendment and statement filed May 21, 2007, and USPTO receipt thereof | <input type="checkbox"/> Reply to Missing Parts/Incomplete Application<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> |
|---|---|

## FEES CALCULATION: For claims if required and/or other fees as shown below:

	NOW	Previously Paid For	Present Extra	Rate	\$
<input type="checkbox"/> TOTAL CLAIMS		- 20		X \$ 50 =	
<input type="checkbox"/> INDEPENDENT CLAIMS		- 3	.	X \$ 210 =	
TOTAL OF ABOVE CLAIMS FEES =					
<input type="checkbox"/> Reduction by 1/2 for <b>small entity status</b> of applicant					
SUBTOTAL =					
<input type="checkbox"/> Fee for extension of time (per attached Petition)					
<input type="checkbox"/> Other fee for					
TOTAL OF ALL FEES =					0

☐ Payment by credit card. FORM PTO-2038 in the amount of \$ is attached.

- ☒ The Director is authorized to charge any fee, additional fee or extension fee due in connection herewith to Deposit Account No. 12-0555:
- (1) if no payment or an insufficient payment is enclosed and a fee is due in connection herewith; or
  - (2) if no petition for extension of time is enclosed but an EOT is required - and in this event, applicant hereby petitions under 37 CFR 1.136(a) for an extension of time of as many months as are required to render this submission timely.

Date: May 19, 2008

 By: B. Aaron Schulman  
 Registration No.: 31,877

 STITES & HARBISON PLLC • 1199 North Fairfax St. • Suite 900 • Alexandria, VA 22314  
 TEL: 703-739-4900 • FAX: 703-739-9577 • Customer No. 00881



**RESPONSE TO NOTICE OF  
DEFECTIVE RESPONSE**

Application #	10/573,804
Confirmation #	9377
Filing Date	03/28/2006
First Inventor	AIACH
Art Unit	Unknown
Examiner	Unassigned
Docket #	P08898US00/BAS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

S I R:

In response to the Notice of Defective Response dated May 2, 2008, Applicants submit that this Notice and the prior Notice have been in error and should be withdrawn.

In a discussion with the authorized officer handling this application, Anita D. Johnson, it was learned that the computer diskette submitted with Applicants' response originally dated May 21, 2007 has been lost by the US Patent Office, and that no such copy was located in the official files.

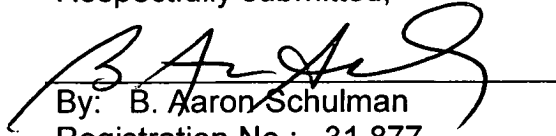
In an effort to respond to the latest notice and to move this case towards examination and allowance, Applicants attached hereto another copy of the computer diskette containing the sequence in acceptable computer readable form. An amendment entering the sequence listing in the present application was submitted with Applicants' response of May 21, 2007. Applicants state once again in accordance with 37 C.F.R. § 1.821(f) that the content of the paper sequence listing provided with the amendment of May 21, 2007 and the attached computer readable form are the same, and that in accordance with 37 C.F.R. § 1.821(g), the enclosed submission contains no new matter.

Applicants submit that this case is in condition for examination and allowance, and such action is respectfully requested.

Should there be any additional matters regarding the sequence listing that need to be addressed, a telephone call to the undersigned counsel for Applicants is respectfully requested so that this case can move on to examination and allowance.

Date: May 19, 2008

Respectfully submitted,

  
By: B. Aaron Schulman  
Registration No.: 31,877

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# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/573,804	Martine Aiach	P08898US00BAS

881

STITES & HARBISON PLLC  
1199 NORTH FAIRFAX STREET  
SUITE 900  
ALEXANDRIA, VA 22314

INTERNATIONAL APPLICATION NO.	
PCT/IB2004/003146	
I.A. FILING DATE	PRIORITY DATE
09/28/2004	09/29/2003

COPY

CONFIRMATION NO. 9377  
371 FORMALITIES LETTER



Date Mailed: 05/02/2008

## NOTIFICATION OF DEFECTIVE RESPONSE

6-2-2008

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Priority Document
- Copy of the International Application filed on 03/28/2006
- Copy of the International Search Report filed on 03/28/2006
- Preliminary Amendments filed on 05/21/2007
- Information Disclosure Statements filed on 05/21/2007
- Biochemical Sequence Diskette filed on 10/29/2007
- Oath or Declaration filed on 05/21/2007
- U.S. Basic National Fees filed on 03/28/2006
- Priority Documents filed on 03/28/2006

RECEIVED

MAY 05 2008

STITES & HARBISON, PLLC

Applicant's response filed 10/29/2007 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 02/21/2007 have not been completed.

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

ANITA D JOHNSON

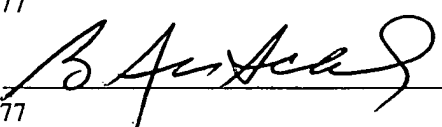
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Telephone: (703) 308-9140 EXT 226

 **COPY**

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEY DOCKET NO. P08898US00/BAS
		US APPL. NO. (If known, see 37CFR 1.5) 10/573,804
INTERNATIONAL APPLICATION NO. PCT/IB04/03146	INTERNATIONAL FILING DATE 28 September 2004	PRIORITY DATE CLAIMED 29 September 2003
TITLE OF INVENTION: IDENTIFICATION OF POLYMORPHISMS IN THE EPCR GENE ASSOCIATED WITH...		
APPLICANT(S) FOR DO/EO/US: AIACH		
<p>Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:</p> <p><input type="checkbox"/> 1. This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p><input checked="" type="checkbox"/> 2. This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 USC 371.</p> <p><input type="checkbox"/> 3. This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p><input type="checkbox"/> 4. The US has been elected (Article 31).</p> <p><input type="checkbox"/> 5. A copy of the International Application as filed (35 U.S.C. 371 (c)(2))</p> <p><input type="checkbox"/> a. is attached hereto (required only if not communicated by the International Bureau).</p> <p><input type="checkbox"/> b. has been communicated by the International Bureau</p> <p><input type="checkbox"/> c. is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p><input type="checkbox"/> 6. An English translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p><input type="checkbox"/> a. is attached hereto.</p> <p><input type="checkbox"/> b. has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p><input type="checkbox"/> c. is not needed since the International Application is in English.</p> <p><input type="checkbox"/> 7. Amendments to the claims of the International Appln. under PCT Article 19 (35 USC 371 (c)(3))</p> <p><input type="checkbox"/> a. are attached hereto (required only if not communicated by the International Bureau).</p> <p><input type="checkbox"/> b. have been communicated by the International Bureau.</p> <p><input type="checkbox"/> c. have not been made; however, the time limit for making such amendments has NOT expired.</p> <p><input type="checkbox"/> d. have not been made and will not be made.</p> <p><input type="checkbox"/> 8. An English translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p><input checked="" type="checkbox"/> 9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p><input type="checkbox"/> 10. An English translation of the annexes to the Int'l Pre. Exam. Report under PCT Article 36 (35 USC 371(c)(5)).</p> <p><b>Items 11. to 20. below concern document(s) or information included:</b></p> <p><input checked="" type="checkbox"/> 11. An <b>Information Disclosure Statement</b> under 37 C.F.R. 1.97 and 1.98.</p> <p><input type="checkbox"/> 12. An <b>Assignment</b> document for recording. A separate cover sheet in compliance with 37 CFR 3.28 &amp; 3.31 is included.</p> <p><input checked="" type="checkbox"/> 13. A <b>preliminary amendment</b>.</p> <p><input type="checkbox"/> 14. An Application Data Sheet under 37 CFR 1.76.</p> <p><input type="checkbox"/> 15. A substitute specification.</p> <p><input type="checkbox"/> 16. A power of attorney and/or change of address letter.</p> <p><input checked="" type="checkbox"/> 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 &amp; 37 CFR 1.821-825.</p> <p><input type="checkbox"/> 18. A second copy of the published international application under 35 USC 154(d)(4).</p> <p><input type="checkbox"/> 19. A second copy of the English translation of the international application under 35 USC 154(d)(4).</p> <p><b>20. Other items or information:</b></p> <p><input type="checkbox"/> Return Receipt Postcard.</p> <p><input checked="" type="checkbox"/> A copy of the Notification of Missing Requirements under 35 U.S.C. 371.</p> <p><input checked="" type="checkbox"/> In the event that a petition for extension of time is required to be submitted herewith, and in the event that a separate petition does not accompany this response, applicant hereby petitions under 37 CFR 1.136(a) for an extension of time of as many months as are required to render this submission timely. Any fee is authorized in 21(c).</p> <p><input type="checkbox"/></p>		

COPY

U.S. APPLICATION NO. (If known) 10/573,804		INTERNATIONAL APPLICATION NO. PCT/IB04/03146		ATTORNEY DOCKET NO. P08898US00/BAS	
The following fees have been submitted:				CALCULATIONS	PTO USE ONLY
<input type="checkbox"/> 21. Basic national fee (37 CFR 1.492(a)) \$300				\$	
<input type="checkbox"/> 22. Examination fee (37 CFR 1.492(c))					
<input type="checkbox"/> Written Opinion or IPER by US indicates all claims satisfy PCT Art. 33(1-4) \$0				\$	
<input type="checkbox"/> All other situations \$200					
<input type="checkbox"/> 23. Search fee					
<input type="checkbox"/> Written Opinion or IPER by US indicates all claims satisfy PCT Art. 33(1-4) \$0				\$	
<input type="checkbox"/> Has been paid on the Int'l Appln. to the USPTO as ISA \$100					
<input type="checkbox"/> International Search Report prepared and provided to the Office \$400					
<input type="checkbox"/> All other situations \$500					
TOTAL OF 21, 22 AND 23				\$	
<input type="checkbox"/> SIZE FEE: sheets - 100 = ÷ 50 = [rounded up] × \$250 =				\$	
<input type="checkbox"/> Surcharge of \$130 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)) \$130				\$130	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	11 - 20 =	0	X \$50 =	\$0	
Independent Claims	3 - 03 =	0	X \$200 =	\$0	
<input type="checkbox"/> Multiple Dependent Claim(s) (if applicable)			+ \$360 =	\$	
TOTAL OF ABOVE CALCULATIONS =				\$130	
<input type="checkbox"/> Applicant claims small entity status - 37 CFR 1.27. Fees above reduced by 1/2.				\$	
SUBTOTAL =				\$130	
<input checked="" type="checkbox"/> Fee for Extension of Time				\$120	
TOTAL NATIONAL FEE =				\$	
<input type="checkbox"/> Fee for recording enclosed assignment (37 CFR 1.21(h)). Assignment must be accompanied by appropriate cover sheet (37 CFR 3.28, 3.31) \$40 per property				\$	
TOTAL FEES ENCLOSED =				\$250	
Amount to be				Refunded	\$
				Charged	\$
15/23/2007 MKAYPAGH 00000020 10573804 11 FC:1617 130.00 OP					
<input checked="" type="checkbox"/> Payment of \$250 is made by attached Credit Card Payment Form (PTO-2038) <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required for this submission (except claims fees if the box below is checked) or credit any overpayment to Deposit Account No. 12-0555. <input type="checkbox"/> Do not charge any claim fees now - any additional claims fees will be paid with the Missing Requirements.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
POWER OF ATTORNEY & CORRESPONDENCE ADDRESS:  CUSTOMER NO. 00881  Date: May 21, 2007			NAME: B. Aaron Schulman REG. NO.: 31,877 Signed (for) by:  REG. NO.: 31,877		